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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,185	02/06/2004	George J. Alexandropoulos	GEE-001.01	7204
25181	7590	12/16/2004	EXAMINER	
FOLEY HOAG, LLP			SQUIRES, BRETT S	
PATENT GROUP, WORLD TRADE CENTER WEST			ART UNIT	PAPER NUMBER
155 SEAPORT BLVD				2836
BOSTON, MA 02110				

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/774,185	ALEXANDROPOULOS, GEORGE J.
	Examiner	Art Unit
	Brett S Squires	2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 February 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 February 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/06/2004.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Specification

1. The disclosure is objected to because of the following informalities: it contains the following typographical error on page 6 line 6 "FIGs. 6A and 6D" this understood to be "FIGs. 6A - 6D" Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 7-21, and 23-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Schramm (US 4,425,597).

Schramm discloses an electronic locking method and apparatus for actuating a solenoid or similar device (figure ref# "door unlock solenoid") to unlock a door in response to the user inputting a code that corresponds to the predetermined code (col. 1 lines 6-17). The user actuates the door handle (figure 1 ref# 10S and 10H) in a predetermined sequence, a detecting circuit detects the predetermined sequence of operation of the door opening actuator and generates an unlock signal if the sequence entered by the user corresponds to the predetermined sequence.

Regarding Claims 1-3, 7, 11, 13-14, 16-17, and 23-25:

See Column 2 lines 30-68, Column 3 lines 1-20, and Figures 1-2

Regarding Claims 4, 12, and 18:

See Column 4 lines 2-7 and figure 1 ref# 42

Regarding Claim 8, 15, and 21:

See Column 9 lines 4-16

Regarding Claim 9 and 19:

See Column 1 lines 6-17 and figure 1 ref# "door unlock solenoid"

Regarding Claim 10 and 20:

See abstract

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-6 and 26 are rejected under 35 U.S.C. 103(a) as being obvious over Schramm (US 4,425,597) and Anderson (US 5,021,776).

Schramm discloses the above stated electronic locking method and apparatus for actuating a solenoid or similar device to unlock a door in response to the user inputting a code that corresponds to the predetermined code having a sensory signal generator such as a buzzer or light that outputs a signal capable of being sensed by a human being in response to the output of the pulse generator, but does not disclose identifying the operating mode based at least partly on a portion of the sequence of

signal interruptions, the operating mode corresponding to at least one of a code change request and an access request.

Anderson discloses a keyless electronic combination lock adaptable for placement on a door with changeable entry codes, a lock-out code, and a programming code. The entry code can easily be change by entering the programming code, which places the system in the programming mode of operation (abstract, col. 1 lines 52-68 and col. 2 lines 1-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Schramm to include a mode of operation that allows the user to change the entry code such as that taught by Anderson in order to provide the user maximum convenience for changing the entry code.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being obvious over Schramm (US 4,425,597) and Godau (US 5,781,125).

Schramm discloses the above stated electronic locking method and apparatus for actuating a solenoid or similar device to unlock a door in response to the user inputting a code that corresponds to the predetermined code using optical relay switches to sense the movement of the door handle (col. 9 lines 4-14), but does not disclose that the optical relay operate in the infrared bandwidth.

Godau discloses a wireless exchange of data between two devices in a motor vehicle using infrared relays which contain infrared transmitting and receiving parts (col. 4 lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Schramm to include using optical relay switches that operate in the infrared bandwidth such as that taught by Godau in order to prevent the optical relay switches from transmitting extraneous switching data caused by the ambient light in the environment.

Conclusion

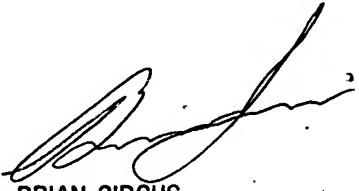
7. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. Additional prior art of interest includes but is not limited to the following US Patents and Publications, Foreign Patents and Publications and Non-patent Literature: Stoesser (US 4,499,462) discloses having personal access codes and Burgess (US 4,809,199).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brett S Squires whose telephone number is (571)272-2268. The examiner can normally be reached on 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2058. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brett S Squires
Examiner
Art Unit 2836



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